

ORDINANCE 82-62

To Vacate a Public Right-of-Way

WHEREAS, IC 36-7-3-12 authorizes the Common Council to vacate public ways and places upon petition of persons who own or are interested in lots contiguous to those public ways and places; and

WHEREAS, the petitioner, Real Estate Problem Solvers, has filed a petition to vacate a portion of alley right-of-way located between 14th and 15th Streets, midblock between Madison and Woodburn Avenues; and

WHEREAS, IC 36-7-4-512 requires the Plan Commission to make a recommendation on the proposed vacation and to forward it to the Common Council; and

WHEREAS, the Plan Commission has considered this petition and made a favorable recommendation on its adoption;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. Through the authority of IC 36-7-3-12, a portion of the north-south alley shall be vacated that is located between 14th and 15th Streets, midblock between Madison and Woodburn Avenues, more particularly described as follows:

Beginning at a point on the Southeast corner of Lot 47 Kenwood Addition, said point being on the East line of an existing 12 foot alley right-of-way, thence North for a distance of 132 feet to the Northeast corner of Lot 48, Kenwood Addition, thence East for a distance of 12 feet to the Northwest corner of Lot 58, Kenwood Addition, thence South for 132 feet to the Southwest corner of Lot 58, thence West for 12 feet to the point of beginning. Said alley right-of-way being located in the Kenwood Addition to the City of Bloomington, Indiana, as shown by the recorded plat thereof.

SECTION II. This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and published according to law.

PASSED and ADOPTED upon this \_\_\_\_\_ day of \_\_\_\_\_, 1982

\_\_\_\_\_  
PATRICK J. MURPHY, President  
Bloomington Common Council

ATTEST:

\_\_\_\_\_  
PATRICIA WILLIAMS, City Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 1982.

\_\_\_\_\_  
PATRICIA WILLIAMS, City Clerk

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 1982.

\_\_\_\_\_  
FRANCIS X. McCLOSKEY, Mayor  
City of Bloomington

SYNOPSIS

This ordinance will vacate a portion of the north-south alley right-of-way located between 14th and 15th Streets, midblock between Madison and Woodburn Avenues, as petitioned by Real Estate Problem Solvers, who own property adjacent to this alley.



\*\*\*\*ORDINANCE CERTIFICATION\*\*\*\*

In accordance with IC 18-7-4-508, I hereby certify that the attached Ordinance Number 82- 62, is a true and complete copy of Plan Commission Case Number MP-26-82 , which was given a recommendation of approval by a vote of 6 Ayes, 3 Nays, and 1 Abstentions by the Bloomington City Plan Commission at a public hearing held on August 30 , 1982.

Date: September 3 , 1982

Tim Mueller  
Tim Mueller, Secretary  
Plan Commission

Received by the Common Council Office this 3 day of September , 1982.

Patricia Williams  
Patricia Williams, City Clerk

Fiscal Impact Statement

Appropriation Ordinance # \_\_\_\_\_ Ordinance # \_\_\_\_\_ Resolution # \_\_\_\_\_

Type of Legislation:

Appropriation _____	End of Program _____	Penal Ordinance _____
Budget Transfer _____	New Program _____	Grant Approval _____
Salary Change _____	Bonding _____	Administrative Change _____
Zoning Change _____	Investments _____	Short-Term Borrowing _____
New Fees _____	Annexation _____	Other <u>XX</u> alley vacation.

If the legislation directly affects City funds, the following must be completed by the City Controller:

Cause of Request:

Planned Expenditure \_\_\_\_\_ Emergency \_\_\_\_\_  
Unforeseen Need \_\_\_\_\_ Other \_\_\_\_\_

Funds Affected by Request:

Fund(s) Affected		
Fund Balance as of January 1	\$ _____	\$ _____
Revenue to Date	_____	_____
Revenue Expected for Rest of year	_____	_____
Appropriations to Date	_____	_____
Unappropriated Balance	_____	_____
Effect of Proposed Legislation(+/-)	_____	_____
Projected Balance,	\$ _____	\$ _____

Signature of Controller \_\_\_\_\_

Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues? Yes \_\_\_\_\_ No X

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

The request is for vacation of an unimproved alley right-of-way.

If the legislation will have a major fiscal impact, explain briefly what the effect on City costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible. (Continue on second sheet if necessary)

Agency submitting legislation Bloomington Plan Commission

By Tim Mueller Date September 3, 1982



HERALD-TELEPHONE  
BLOOMINGTON, INDIANA

PROOF OF PUBLICATION

State of Indiana )  
County of Monroe ..... ) ss:

PENNY COMBS

being duly sworn on oath, says that..... she  
is..... billing clerk

of Herald-Telephone, a public newspaper of general circula-  
tion, printed in the town of Bloomington in said county and  
state; that the notice, of which the annexed is a true copy, was  
published in regular edition of said paper, issued upon the  
following dates, to wit:

Sept. 17, 1982

Penny Combs  
Name of Affiant

Subscribed and sworn to before me, this 17  
of Sept. 1982 day

Joyce Colbert

Notary Public or Clerk.

My Commission Expires 7-5-85

Publication Fee \$ XXXXX 21.37

Attac

NOTICE OF PUBLIC HEARING  
ORDINANCE 82-62  
The Common Council of the City of  
Bloomington, Indiana, has been  
petitioned to hear a request for the  
approval of vacating right-of-way of  
a public alley that is located between  
14th and 15th Streets, mid-block  
between Madison and Woodburn  
Avenues.  
This property is further described  
as follows, to wit:  
LEGAL DESCRIPTION  
The north-south alley to be  
vacated, more particularly  
described as follows:  
Beginning at a point of the  
Southeast corner of Lot 47 Kenwood  
Addition, said point being on the East  
line of an existing 12 foot alley right-  
of-way, thence North for a distance  
of 132 Feet to the Northeast corner of  
Lot 48, Kenwood Addition, then East  
for a distance of 12 Feet to the  
Northwest corner of Lot 58, Kenwood  
Addition, thence South for 132 feet to  
the Southwest corner of Lot 56,  
thence West for 12 feet to the point of  
beginning. Said alley right-of-way  
being located in the Kenwood  
Addition to the City of Bloomington,  
Indiana, as shown by the plat thereof.  
The Public hearing will be held on  
this request on September 20, 1982  
and October 6, 1982. Both hearings  
will be held in the Council Chambers  
of the Municipal Building at 7:30  
P.M.  
The first hearing will be in  
committee and for the purpose of  
exchanging information and  
questioning the petitioner about the  
request. At the second meeting the  
Common Council will vote on the  
ordinance.  
All persons interested in the  
proposed vacation of the right-of-way  
may be heard at the time and place  
as herein set out.  
THE COMMON COUNCIL OF  
THE CITY OF  
BLOOMINGTON, INDIANA  
PETITIONER: REPS  
DATE: SEPTEMBER 14, 1982  
SUBMITTED BY: Patricia Williams  
City Clerk 17



# REPS

Gilbert J. Coty, III  
Lawrence Fisher  
Thomas A. Kovach  
Robert A. Morris  
& Associates

17 January 1983

Tim Mueller  
City of Bloomington  
P.O. Box 100  
Bloomington, IN 47402

Dear Tim,

Please be advised that we wish to withdraw our request for an alley vacation at 14th and Madison Streets. Please remove from the Council's agenda.

If you can remember to send me the letter on the 19th Street Plat and the information on the proposed changes regarding expansion of non-conforming uses I would be appreciative.

Sincerely yours,



Robert A. Morris

RAM/sns

RECEIVED  
JAN 18 1982  
PLANNING DEPARTMENT  
XC: SP-31-82

1017 N. College Ave.  
Bloomington, Indiana 47401

REAL ESTATE PROBLEM SOLVERS

Phone  
812-336-1300

